



# PUBLIC NOTICE

**File Number: NRS 14.049**

Pursuant to Chapter 0400-4-7 of the Department's rules, the proposed activity described below has been submitted for approval under an Aquatic Resource Alteration Permit and §401 Water Quality Certification. This notice is intended to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. No decision has been made whether to issue or deny this application.

**APPLICANT:** Tennessee Department of Transportation  
Environmental Permits Section  
Suite 900, James K. Polk Bldg.  
505 Deaderick St.  
Nashville, TN 37243  
615-253-2466

**LOCATION:** State Route 29 from South of Whetstone Road to North of SR-328, Morgan County (Lat: 36.0002/ Lon: -84.5060)

**PROJECT DESCRIPTION:** The applicant proposes to construct 2.023 miles of State Route 29 from South of Whetstone Road to North of SR-328, Morgan County (Lat: 36.0002/ Lon: -84.5060) including impacts to wetland and streams.

## IMPACTS:

Impact 1: Latitude: 36.0156  
Bitter Creek (STR-6)

Longitude: -84.5255  
Station 342+85

Existing 176 ft. of 3@ 12X9 ft. slab bridge and 99 ft. of open stream. The slab bridge would be extended by 38 ft. at the inlet and 42 ft. at the outlet plus 19 ft. of class C riprap. Associated with this impact are storm water outfalls and overhead telephone pole installations.

Impact 2: Latitude: 36.0120  
Unnamed tributary to Bitter Creek (STR-18)  
Installation of a 12" water line.

Longitude: -84.5215  
Station 324+59+/-

Impact 3: Latitude: 36.0127  
Unnamed tributary to Bitter Creek (STR-19)

Longitude: -84.5225  
Station 328+39 to 328+79

Existing open stream 161 ft. and 117 ft. of 8X6 RCBC. Twenty feet of existing culvert would be removed and the remaining 97 ft. would be extended by 126 ft. at the inlet and 17 ft. at the outlet and 15 ft. of riprap lined channel. Associated with this impact are storm water outfalls at Hanging Rock Road and replacement of an existing 10" water line with a 12" water line.

Impact 4: Latitude: 36.0125

Longitude: -84.5225

Wetland (WTL-12)

Station 328+62 to 330+33

Permanent impact (fill) to 0.18 acre wetlands. Remove existing 10" water line.

Impact 5: Latitude: 36.0135

Longitude: -84.5233

Wetland (WTL-13)

Station 333+00 to 335+14

Permanent impact to 0.02 and temporary impact to 0.18 acre wetlands.

Impact 6: Latitude: 36.0156

Longitude: -84.5255

Bitter Creek (STR-6)

Station 342+85 to 354+79

Replace an existing 10" water line with a 12" water line and a ¾" service line and water meter assembly.

Impact 7: Latitude: 36.0135

Longitude: -84.5233

Muddy Branch (STR-20)

Station 349+20

Existing open stream 25 ft. and 102 ft. of 2@15X8 ft. slab bridge. Existing bridge would be extended 20 ft. at the inlet and 5 ft. at the outlet plus 10 ft. of Class B riprap.

Impact 8: Latitude: 36.0171

Longitude: -84.5263

Muddy Branch (STR-20)

Station 349+20

Replace an existing 10" water line with a 12" water line.

Impact 9: Latitude: 36.0178

Longitude: -84.5268

Unnamed tributary to Muddy Branch (STR-21)

Station 350+55 to 357+00

Existing open stream 275 ft., 33 ft. of 10X4 RCBC (to be removed) and 20 ft. of 30" CMP (to be removed). Relocate 275 ft. of open stream in kind and install 33 ft. of 10X4 ft. RCBC.

Impact 10: Latitude: 36.0188

Longitude: -84.5270

Unnamed tributary to Muddy Branch (STR-22)

Station 349+25 to 356+94

Existing 571ft. of open stream to be relocated into 504 ft. of open stream and 100 ft. 30" RCP with 11 ft. u-shaped end wall at inlet and 5 ft. u-shaped end wall at the outlet. Associated with this impact is an overhead telephone pole relocation and replace an existing 10" water line with a 12" water line.

Impact 11: Latitude: 36.0183

Longitude: -84.5271

Wetland (WTL-14)

Station 350+76 to 357+16

Permanent impact (fill) to 0.33 acre wetlands and replace an existing 10" water line with a 12" water line.

**MITIGATION REQUIRED:** The applicant proposes to mitigate for the permanent impact to 0.53 acre of wetlands by debiting, at a 2:1 ratio, 1.06 acre of available credit from the Wall Wetland Mitigation Site. Mitigation for 470 ft. of stream encapsulation would be mitigated by payment of \$112,800 to the Tennessee Stream Mitigation Program.

**DEGRADATION:** In accordance with the Tennessee Antidegradation Statement (Rule 0400-40-03-.06), the division has determined that the proposed activities will not result in degradation to water quality.

**WATERSHED / WATERBODY DESCRIPTION:** Bitter Creek is part of the Emory River watershed which includes cool, clear streams with high gradients. The Emory River Watershed is located in East Tennessee and includes parts of Bledsoe, Cumberland, Fentress, Morgan and Roane counties. It is approximately 872 square miles and drains to the Clinch River embayment of Watts bar Reservoir. For more information on this watershed please visit <http://www.state.tn.us/environment/water/watersheds/lower-tennessee-river.shtml>

**Stream Name / ID #:** Bitter Creek (ID TN06010208041\_0100)

**Ecoregion:** Cumberland Plateau Ecoregion (68a)

**Stream Dimension:**

Channel bottom width	15-20 ft.
Chanel top width	17-25 ft.
Water depth	4-17"
Bank height	1-3 ft.

**Substrate:** Cobble and boulder

<b>Designated Use</b>	<b>Use Support</b>
Fish and aquatic life	fully supporting
Recreation	fully supporting
Industrial water supply	fully supporting
Irrigation	fully supporting
Livestock watering & wildlife	fully supporting

This stream is available for additional impacts to habitat.

**Assessment Date:** 2012

**PERMIT COORDINATOR:** Brian Canada

**FACTORS CONSIDERED:** In deciding whether to issue or deny a permit, the department will consider all comments of record and the requirements of applicable federal and state laws. In making this decision, a determination will be made regarding the lost value of the resource compared to the value of any proposed mitigation. The department shall consider practicable alternatives to the alteration. The department shall also consider loss of waters or habitat, diminishment in biological diversity, cumulative or secondary impacts to the water resource, and adverse impact to unique, high quality, or impaired waters.

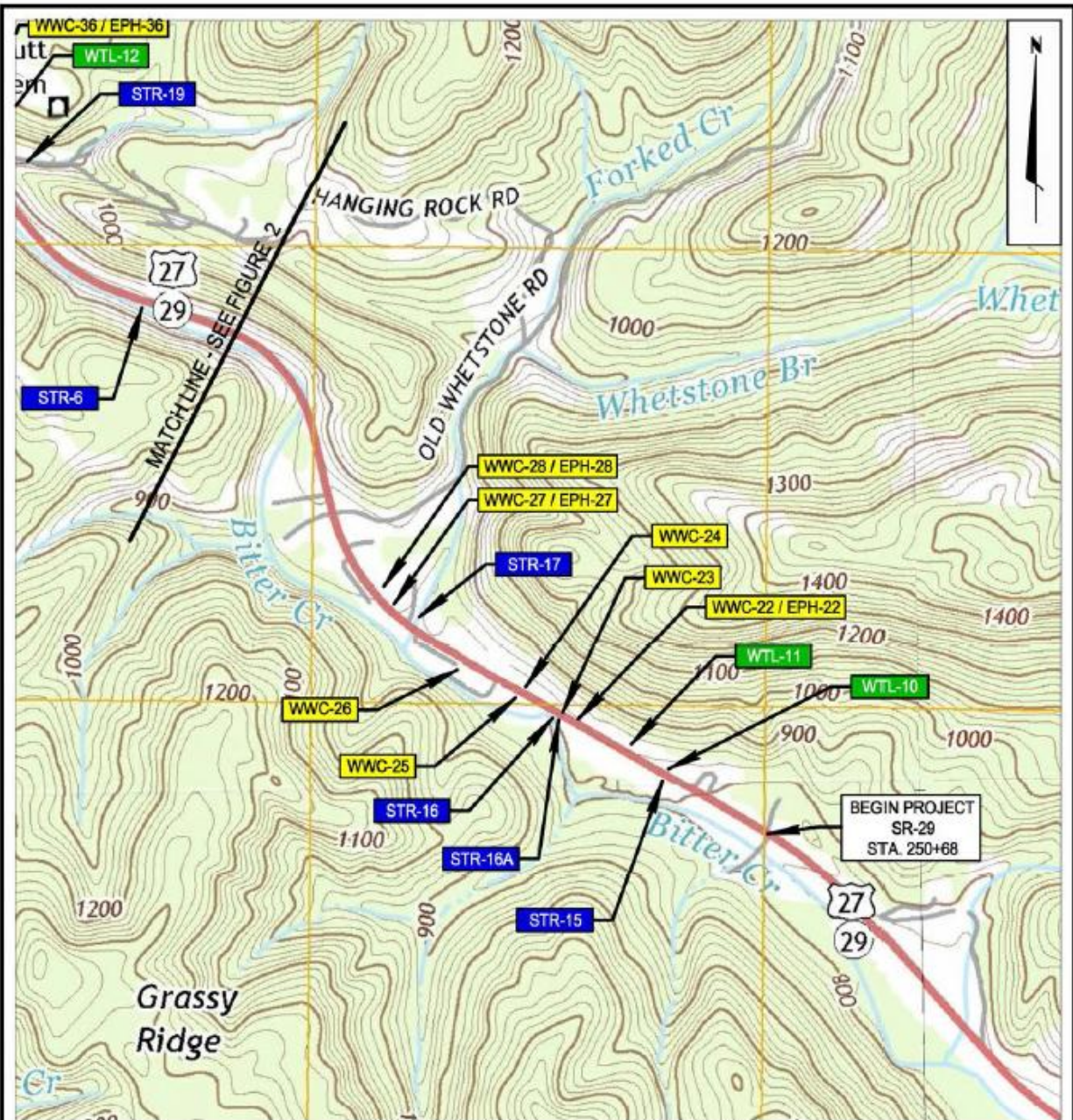
**COMMENTING:** Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within **thirty days of the date that this notice is posted**. Comments will become part of the record and will be considered in the final decision. The applicant's name and permit number should be referenced. Send all written comments to the department's address listed below and to the attention of the permit coordinator.

**PUBLIC HEARING:** Interested persons may request in writing that the department hold a public hearing on this application. The request must be filed within the comment period, indicate the interest of the person requesting it, the reasons that the hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the department will hold a public hearing. Send all public hearing request to the department's address listed below and to the attention of the permit coordinator.

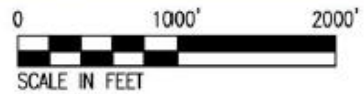
**APPEAL:** A permit appeal may be filed, pursuant to T.C.A. §§ 69-3-105(i) and Rule 0400-40-05, by the permit applicant or by any aggrieved person who participated in the public comment period announced by this notice. This petition must be filed within THIRTY (30) DAYS after public notice of the issuance of the permit. The petition must specify what provisions are being appealed and the basis for the appeal. It should be addressed to the technical secretary of the Tennessee Board of Water Quality, Oil and Gas at the following address: Dr. Sandra Dudley, Director, Division of Water Resources, William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Ave, 12<sup>th</sup> floor, Nashville, TN 37243. Any hearing would be in accordance with T.C.A. §§69-3-110 and 4-5-301 et seq.

**FILE REVIEW:** The permit application, supporting documentation including detailed plans and maps, and related comments are available at the department's address (listed below) for review and/or copying.

Tennessee Department of Environment & Conservation  
Division of Water Resources, Natural Resources Unit  
William R. Snodgrass Tennessee Tower  
312 Rosa L. Parks Avenue, 11th Floor  
Nashville, Tennessee 37243



U.S.G.S QUADRANGLE TOPOGRAPHIC MAPS:  
 CAMP AUSTIN, TN (2013), PETROS, TN (2013),  
 HARRIMAN, TN (2013) AND ELVERTON, TN (2013)

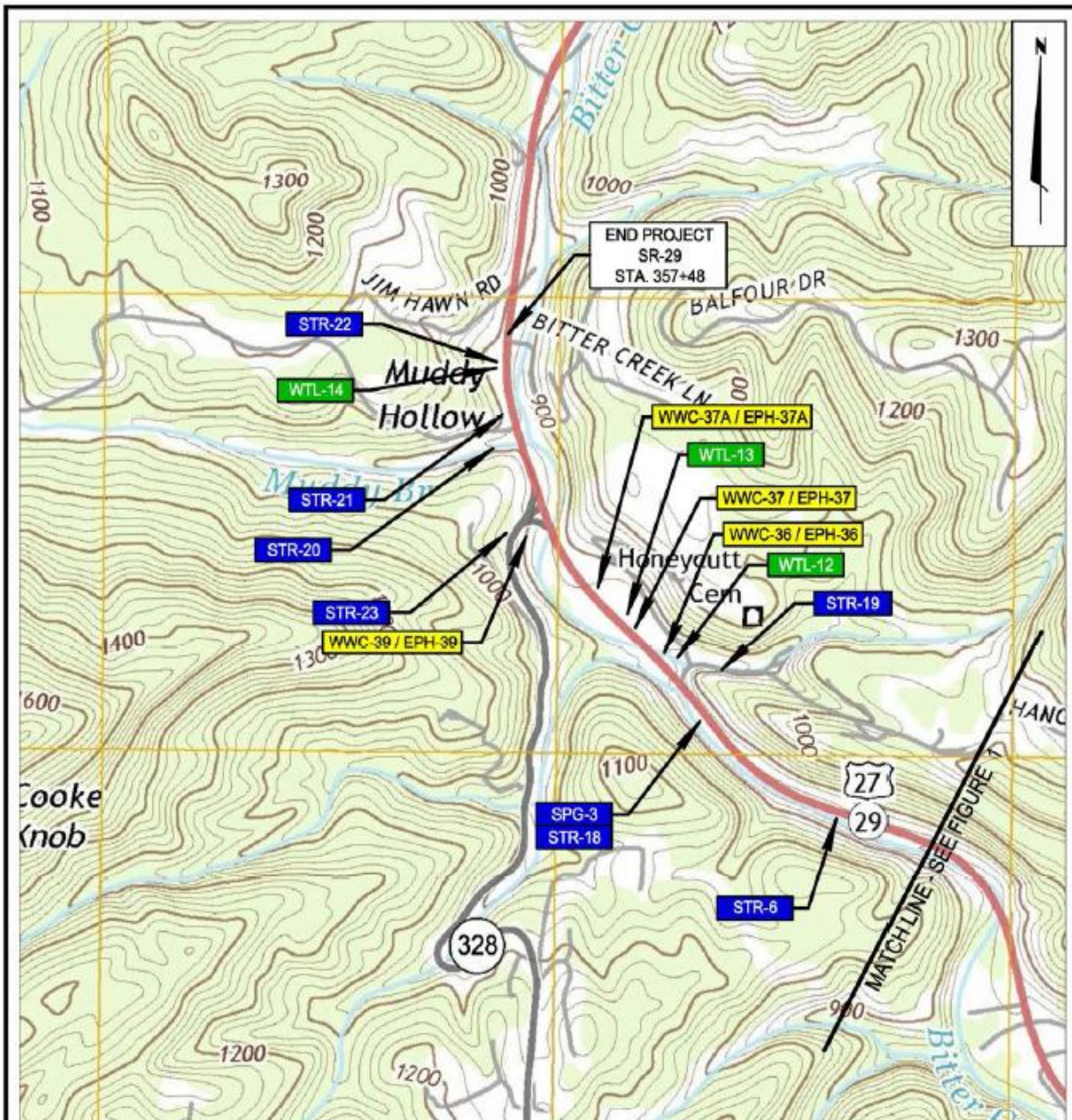


**ENVIRONMENTAL BOUNDARIES MAP**  
 SR-29 (US-27); FROM SOUTH OF  
 WHETSTONE ROAD TO NORTH OF SR-328  
 MORGAN COUNTY, TN

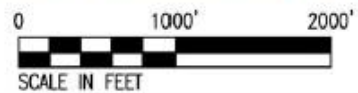
SURVEY DATES: AUG 20-24, 2007,  
 SEPT 4-7, 2007, & NOV 14-15, 2013

DRAWN BY:	CHECKED BY:
R. CLOWDUS	T. BECKTOLD
PIN	101411.05
PROJECT NO.	65001-1256-14
FIGURE	DATE:
1 OF 2	12-6-2013





U.S.G.S QUADRANGLE TOPOGRAPHIC MAPS:  
CAMP AUSTIN, TN (2013), PETROS, TN (2013),  
HARRIMAN, TN (2013) AND ELVERTON, TN (2013)



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**Environmental Boundaries  
Photo Document**

SR-29 (US-27); From South of  
Whetstone Road to North of SR-  
328, Morgan County, TN  
PIN 101411.05  
Project No. 65001-1256-14

August 20-24, 2007  
September 4-7, 2007  
November 14-15, 2013



Photograph No. 21

**STR-6  
STA. 343+50R**

Receiving Waters: Bitter Creek  
(STR-6)

View looking southwest.

Note: Downstream view of Bitter  
Creek, facing inlet of existing 3 @  
12-foot by 9-foot RCBC.



Photograph No. 22

**STR-6  
STA. 342+00L**

Receiving Waters: Bitter Creek  
(STR-6)

View looking northeast.

Note: Upstream view of Bitter  
Creek, facing outlet of existing 3 @  
12-foot by 9-foot RCBC.